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# Public Notice

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**Applicant:**  
Kingswood Group

**Date:**  
**Published:** February 18, 2003  
**Expires:** March 19, 2003

**U.S. Army Corps  
of Engineers**

**In Reply Refer To:**

**Buffalo District CELRB-TD-R RE: 2001-02779(1) Section: OH 404**

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**Application for Permit under Authority of  
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Mr. Chris Bender, on behalf of The Kingswood Group, 13370 Prospect Road, Strongsville, Ohio 44136, has requested a Department of the Army Permit to construct the West Hampton Residential Subdivision. The project is located off of York Road just south of Albion Road, in the City of North Royalton, Cuyahoga County, Ohio.

Department of the Army authorization is required to place fill material into 0.135 acre of Federal wetland and 1,303 linear feet of intermittent and ephemeral stream channel on the 27-acre property.

The project consists of filling and grading two Federal wetlands, constructing two culverted road crossings of a stream, and filling and grading another stream. The applicant's preferred design allows for the construction of 39 residential sublots along with all attendant roads, utilities, and a stormwater detention basin.

As mitigation for these impacts, the applicant has proposed the purchase of 0.3 credits from the Sandy Ridge Mitigation Bank and the on-site preservation of 2,279 linear feet of stream channel.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Martin P. Wargo, who can be contacted by calling (716) 879-4116, or by e-mail at: martin.p.wargo@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Martin P. Wargo, or by e-mail at: martin.p.wargo@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

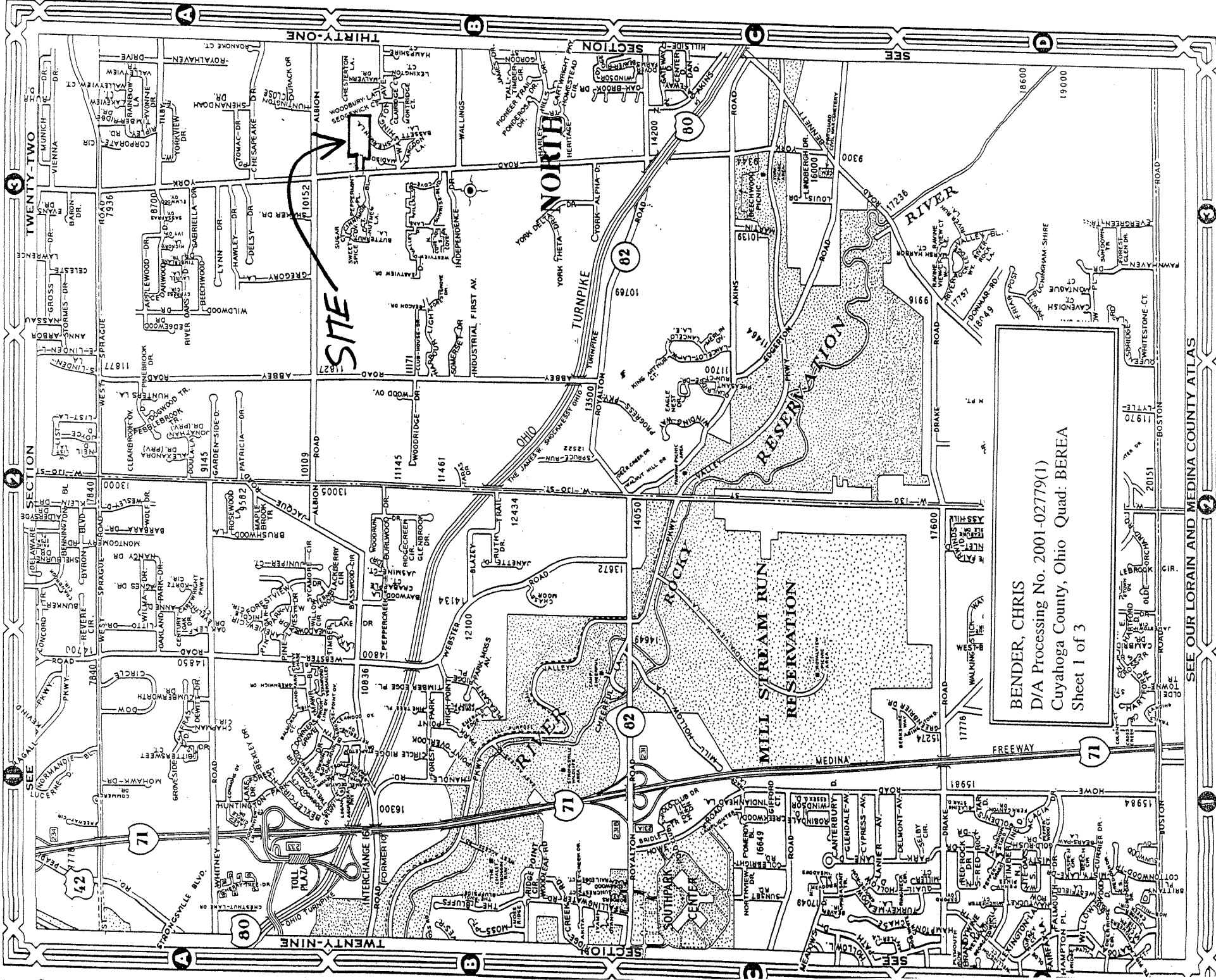
Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

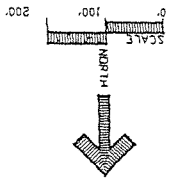
The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner  
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.





BENDER, CHRIS  
 D/A Processing No. 2001-02779(1)  
 Cuyahoga County, Ohio Quad: BERE A  
 Sheet 2 of 3

CLIENT  
 THE KINGWOOD GROUP

PROJECT  
 WEST HAMPTON

TITLE  
 WETLAND DELINEATION

SCALE  
 1" = 100'

DATE  
 9-02

PROJECT NO.  
 2501NR

DWG. FILE  
 W010000-02

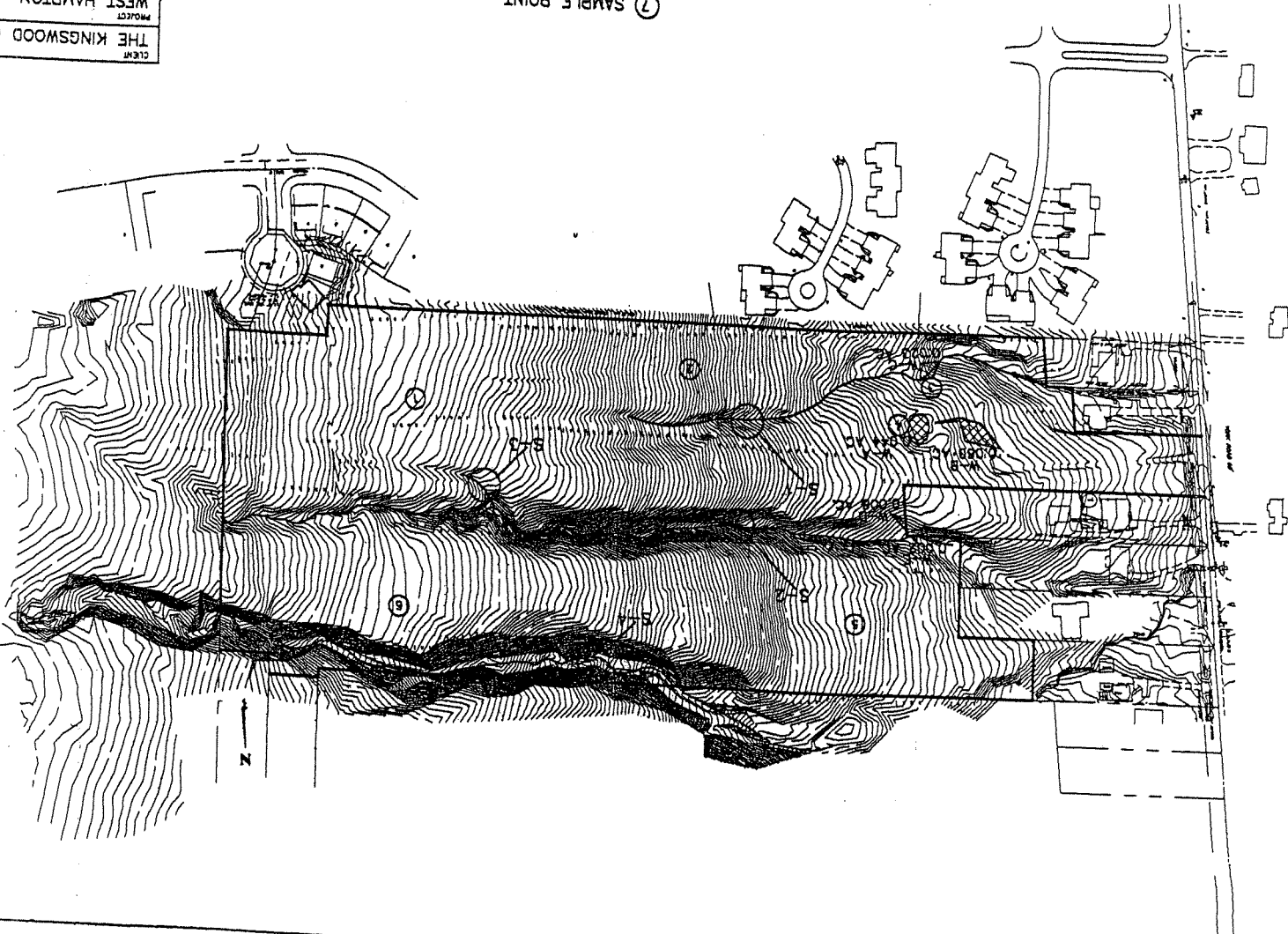
SHEET NO.  
 1 of 1

554 WHITE POND DRIVE, SUITE D  
 FAIRLAWN, OHIO 44320 (330) 865-0688



Flickinger Wetland Services Group, Inc.

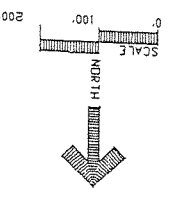
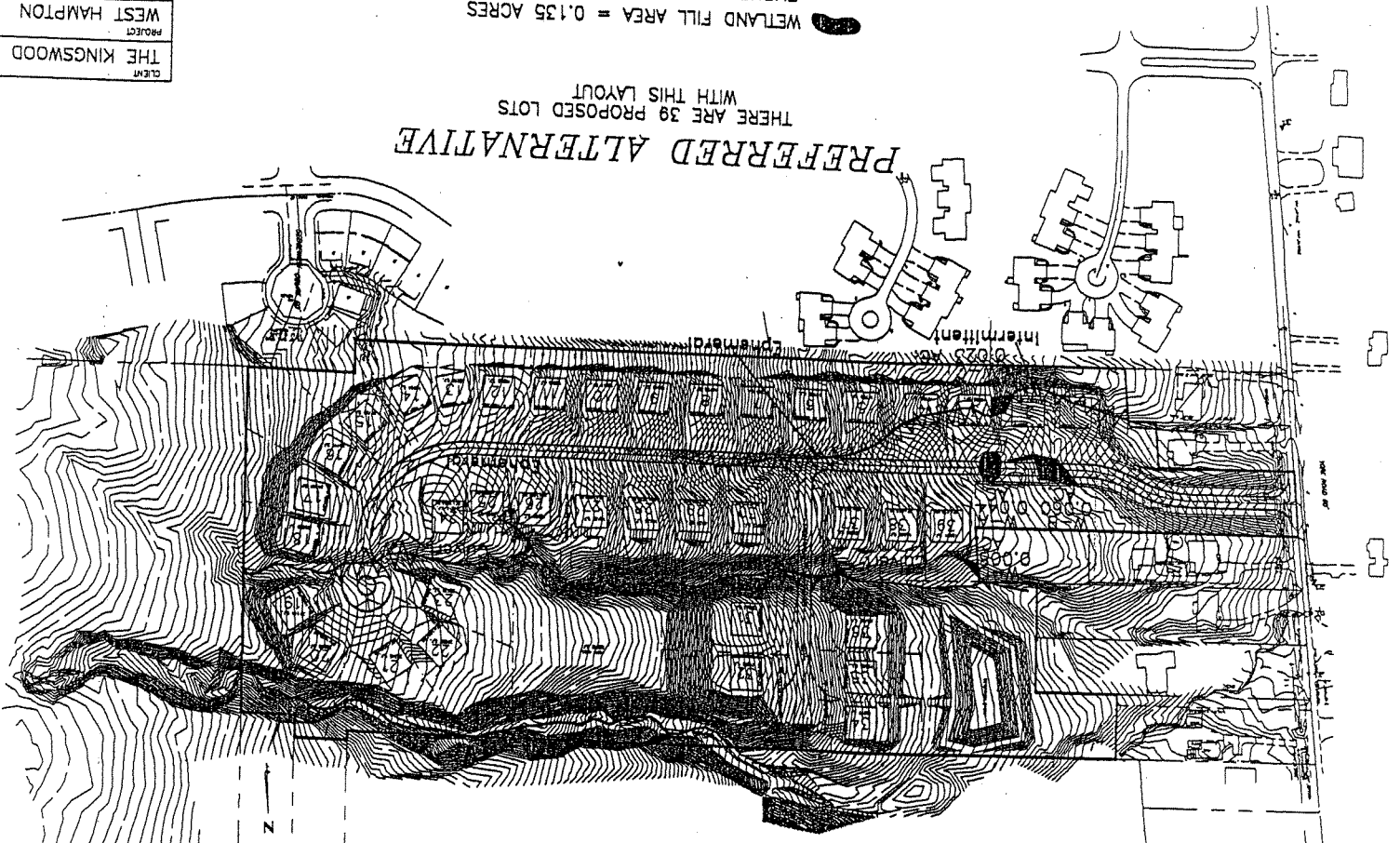
⑦ SAMPLE POINT  
 WETLAND AREA = 0.137 ACRES  
 STREAM/DITCH AREA = 0.273 ACRES  
 3582.42 FEET



WETLAND FILL AREA = 0.135 ACRES  
 Ephemeral Stream Fill = 699.91 Feet  
 Area = 0.019 Acres  
 Intermittent Stream Fill = 603.69 Feet  
 Area = 0.029 Acres  
 Total Stream Fill = 1303.60 Feet  
 Area = 0.048 Acres

THESE ARE 39 PROPOSED LOTS  
 WITH THIS LAYOUT

PREFERRED ALTERNATIVE



BENDER, CHRIS  
 D/A Processing No. 2001-02779(1)  
 Cuyahoga County, Ohio Quad: BERE A  
 Sheet 3 of 3

THE KINGSWOOD GROUP	
PROJECT WEST HAMPTON	
TITLE PREFERRED ALTERNATIVE	
DATE 10-02	SCALE 1" = 100'
JOB NO. 2501NR	
DWG. FILE R110-02	
SMT. NO. 1 OF 1	
554 WHITE POND DRIVE, SUITE D FAIRLAWN, OHIO 44320 (330) 865-0688	